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TAGS: [ASEC](#) [CPAS](#) [ETRD](#) [PBT](#) [KFRD](#) [PGOV](#) [CA](#)
SUBJECT: Ontario Government Still Planning to Run with EDL

Ref: (A) 08 Toronto 233 (B) 08 Toronto 390

Sensitive But Unclassified - Please Protect Accordingly.

¶11. (SBU) Summary: Ontario Ministry of Transportation officials have told us that they hope to begin issuing an Enhanced Drivers License (EDL) by the June 1, 2009 deadline for the Western Hemisphere's Initiative (WHTI). However, a labor dispute and changes in technology standards have delayed the Province from signing the necessary agreements with the Canadian federal government, and thus delayed the required business plan from being forwarded to the Department of Homeland Security (DHS). Despite these setbacks, Ministry officials say they are ready to move forward quickly once the issues are resolved, and also are working on contingency plans. End Summary.

MOT Knows the Steps

¶12. (SBU) Ontario Ministry of Transportation (MoT) officials met with us January 29 and addressed our concerns about its announcement of plans to start issuing Enhanced Drivers Licenses (EDLs) in winter 2009, despite not having yet submitted its plans for DHS concurrence. The officials confirmed that they will not be able to commence issuing EDLs this winter, but they are still aiming to begin issuance prior to June 1. They also clarified that they are aware of the steps that must be taken prior to the Province issuing the EDLs, including the submission of a business plan to the Department of Homeland Security (DHS) and convening joint working groups. According to the officials, they have already created working groups with the Province of Quebec and the state of New York and are expecting a visit from a CBP working group soon (Note: post is not aware of a planned CBP visit for this purpose and has not seen any country clearance request).

Labor Union, Technology Tripping Up MoT

¶13. (SBU) The MoT officials explained that a number of unexpected issues delayed the Province's EDL program. Prior to submitting its business plan to DHS/CBP, the Ontario government must sign an MOU with the Canadian federal government. Canada's federal government is insisting that MoT agree to perform financial background checks on employees who will handle EDL applications, similar to checks the federal government uses to screen its passport employees. This requirement, however, has pitted the local labor union against the Ontario government, with the Canadian Union of Public Employees (CUPE) arguing that such financial checks would violate employees' privacy rights. We understand that the Canadian federal government will not drop this requirement from its MOU with the Province. The MoT will seek to resolve the issue with CUPE at an Ontario Grievance Settlement Board hearing on February 17.

¶14. (SBU) Changes in technical standards for the RFID chips also delayed the EDL program. The Canadian federal government informed the Ontario MoT in late 2008 of a required increase in RFID antenna

sensitivity. The required design changes created a two-month delay in the manufacturing process. According to MoT officials, they are working on contingency plans so that once the labor and technology issues are resolved, they can speed through the regulatory process and issue at least a few EDLs in time for the June 1 WHTI deadline. [Note: Ultimately, they expect to issue approximately 500,000 EDLs at eight designated Service Ontario centers at or near the border and in Ottawa.]

¶5. (SBU) Comment: While MoT officials are determined to begin issuing EDLs prior to June 1, that looks like a difficult goal to attain except in perhaps the most symbolic way (e.g. perhaps the issuance of a few EDLs to the Premier, responsible Minister, etc). Labor union conflicts in Ontario often take on a life of their own, with resolution taking months. Additionally, the working group consultation process may cause delays, based on requested changes from either side. That said, all the relevant ministries have essentially signed off on the program and the MoT is prepared to fast track the EDLs to begin issuance as soon as possible. Post looks forward to working with DHS/CBP to help ensure Ontario's plan for EDL issuance succeeds, thereby giving a boost to smooth WHTI implementation.

NAY